

Message Text

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PAGE 01 STATE 039656
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 JUSE-00 SCA-01 /017 R

DRAFTED BY L/M:KEMALMBORG:AD
APPROVED BY L/M:KEMALMBORG
EUR/WE - MR. BEIGEL
JUSTICE - MR. STEIN (INFO)
-----230133 005089 /73
R 222257Z FEB 77
FM SECSTATE WASHDC
TO AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS: PFOR, CPRS, FR

SUBJECT: EXTRADITION: FRENCH REQUESTS

REF: PARIS 29525

1. DEPUTY ATTORNEY GENERAL HAS BEEN INFORMED BY U.S. ATTORNEYS THAT NO U.S. COMMITMENTS EXIST WHICH WOULD PREVENT EXTRADITION TO FRANCE OF SEVERAL FUGITIVES. AS FOLLOW-UP TO BILATERAL TALKS REPORTED REFTEL, EMBASSY SHOULD ADVISE MS. BACRO, JUSTICE MINISTRY, AND FIND OUT IF FRENCH STILL WISH TO PURSUE EXTRADITION. STATUS OF CASES AS FOLLOWS.

2. CLAUDE SCHOCH. RELEASED WHEN FRENCH FAILED TO SUBMIT CORRECTED PAPERS FOR EXTRADITION HEARING DECEMBER 22. NO PROMISES OR COMMITMENTS TO IMPEDE DEPORTATION OR EXTRADITION OF EITHER BROTHER, BUT RELEASE OF CLAUDE PROBABLY LEGALLY PREJUDICIAL. THERE IS A PROMISE BY U.S. ATTORNEY'S OFFICE TO RECOMMEND AGAINST DUPLICATE PROSECUTION BY A FOREIGN
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PAGE 02 STATE 039656

GOVERNMENT, BUT THIS IS NO MORE THAN TREATY ALREADY PROVIDES. THAT OFFICE HAD IMPRESSION THAT, DURING LETTERS ROGATORY PROCESS, FRENCH OFFICIALS PROMISED THAT INFORMATION GIVEN WOULD NOT BE USED AGAINST SCHOCHS.

3. MICHELE NICOLI. NO PROMISES THAT EXTRADITION TO FRANCE WOULD BE PREVENTED OR IMPEDED, BUT PROMISE THAT

NICOLI'S COOPERATION WOULD BE MADE KNOWN TO FRENCH OFFICIALS TO BE TAKEN INTO CONSIDERATION BY THEM. ALSO PROMISE THAT SO LONG AS CASES PENDING WHERE HE ESSENTIAL WITNESS, INS WOULD BE ASKED TO KEEP HIM IN PAROLE STATUS.

4. CLAUDE PASTOU. NO PROMISES TO IMPEDE OR PREVENT EXTRADITION TO FRANCE. HOWEVER, PROMISE THAT SO LONG AS ESSENTIAL WITNESS IN PENDING CASES, INS WOULD BE ASKED TO KEEP HIM IN PAROLE STATUS.

5. EDOURD RIMBAUD. NO U.S. AGREEMENTS TO DELAY, PREVENT OR IMPEDE EXTRADITION. BUT RIMBAUD WAS PROMISED BY FRENCH AUTHORITIES THAT HE WOULD NOT BE PROSECUTED OR EXTRADITED IN RETURN FOR HIS COOPERATION IN LETTER ROGATORY. APPARENTLY HE HAS NEVERTHELESS BEEN PROSECUTED AND SENTENCED IN ABSENTIA.

6. EDMUND TAILLET. NO U.S. AGREEMENTS TO DELAY, IMPEDE OR PREVENT EXTRADITION, BUT HE OBTAINED COMMITMENT AGAINST DEPORTATION BECAUSE OF LEGITIMATE CONCERN FOR HIS SAFETY AND THAT OF HIS FAMILY. IN SPRING 1973 TAILLET WAS PROMISED BY FRENCH AUTHORITIES THAT HE WOULD NOT BE EXTRADITED IN RETURN FOR COOPERATION IN LETTER ROGATORY.

7. ABOVE DETAILS (EXCEPT UPDATE ON RELEASE OF CLAUDE SCHOCH) WERE SENT BY U.S. ATTORNEYS FOR EASTERN AND SOUTHERN DISTRICTS NEW YORK, TO DEPUTY ATTORNEY GENERAL IN RESPONSE TO HIS INQUIRY INITIATED AS RESULT BILATERAL TALKS REFTEL. DEPUTY ATTORNEY GENERAL ADVISED DEPARTMENT LIMITED OFFICIAL USE

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PAGE 03 STATE 039656

LEGAL ADVISER FRENCH GOVERNMENT CAN BE ASSURED THAT UPON PRESENTATION OF REQUISITE DOCUMENTATION AND UPON COMPLETION ANY SCHEDULED TESTIMONY BY FUGITIVES FOR USG AGAINST CO-CONSPIRATORS, JUSTICE WILL DIRECT APPROPRIATE U.S. ATTORNEY TO INSTITUTE EXTRADITION PROCEEDINGS.

8. REQUEST EMBASSY CONTACT MS. BACRO, FRENCH MINISTRY OF JUSTICE ON ABOVE AND ASK IF FRANCE WISHES TO PROCEED WITH EXTRADITION IN ANY OR ALL ABOVE CASES, NOTING U.S. ATTORNEYS BELIEF THAT FRENCH PROMISES WERE MADE IN SEVERAL CASES. THIS MIGHT BE APPROPRIATE OCCASION TO MENTION USG CONCERN AT DECISION OF FRENCH COURT IN BROWN HIJACKING CASE, EXPRESSING HOWEVER OUR APPRECIATION OF COOPERATION OF FRENCH EXECUTIVE IN THAT CASE.

9. SINCE DRAFTING OF ABOVE, MRS. SHULMAN OF FRENCH EMBASSY HAS INQUIRED AND BEEN INFORMED AS PER PARAS 2 THROUGH 6. SHE WAS PARTICULARLY INTERESTED IN NICOLI AND CHRISTIAN DAVID. WE SENDING SEPTTEL ON ADDITIONAL

APPROACHES RE HIJACKING.

VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, PRISONERS, NEGOTIATIONS
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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Document Source: CORE
Document Unique ID: 00
Drafter: KEMALMBORG:AD
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770062-0091
Format: TEL
From: STATE
Handling Restrictions: n/a
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Legacy Key: link1977/newtext/t19770220/aaaaartd.tel
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Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 8ce260c3-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 PARIS 29525
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 30-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3262116
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION: FRENCH REQUESTS
TAGS: PFOR, CPRS, FR, US
To: PARIS
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/8ce260c3-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009